

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER I-08-039

Relating to Independent Contractor Approval under  
Section 91207, Title 17, California Code of Regulations

ERM - West, Incorporated

WHEREAS, the Air Resources Board (ARB), pursuant to section 41512 of the California Health and Safety Code, has established the procedures contained in sections 91200-91220, title 17, California Code of Regulations, to allow the use of independent testers for compliance tests required by ARB;

WHEREAS, it has been determined that ERM - West, Incorporated meets the requirements of ARB for conducting ARB Test Methods 1, 2, 3, 4, 5, 6, 8, 100 (CO, CO<sub>2</sub>, NO<sub>x</sub>, O<sub>2</sub>) and Visible Emissions Evaluation (VEE) pursuant to sections 91200-91220, title 17, California Code of Regulations, when the following conditions are met:

1. ERM - West, Incorporated permanently marks or engraves an identification number on the body of each of its pitot tubes;
2. ERM - West, Incorporated uses a filter holder, and filter support as required by section 2.1.5 of ARB Test Method 5;
3. ERM - West, Incorporated uses indicating anhydrous Calcium Sulfate as a desiccant;
4. ERM - West, Incorporated acquires and uses Sulfuric Acid as required by section 3.3.5 of ARB Test Methods 6;
5. ERM - West, Incorporated acquires and uses a 5-mL and a 50-mL burette for ARB Test Method 6 and ARB Test Method 8;
6. ERM - West, Incorporated uses a filter holder, and filter support as required by section 2.1.5 of ARB Test Method 8;
7. ERM - West, Incorporated acquires and uses polyethylene storage bottles as required by section 2.2 of ARB Test Method 8;
8. ERM - West, Incorporated acquires and uses Sulfuric Acid as required by section 3.3.5 of ARB Test Method 8;
9. ERM - West, Incorporated includes the following information on all strip charts and/or emissions data sheets: pollutant of interest, source, analyzer range, date and time, zero offsets, and the name of the person operating the instruments;

10. The person performing VEE passed ARB's Compliance Training Course #100: Fundamentals of Enforcement (FOE)/Visible Emissions Evaluation (Smoke School) and is currently certified to conduct VEE. Any subsequent recertification must be from a certifying body recognized by ARB at the time VEE reader conducts the VEE test;

WHEREAS, ARB's Executive Officer, pursuant to Health and Safety Code section 39516, issued Executive Order G-02-008, delegating to the Chief of ARB's Monitoring and Laboratory Division the authority to approve independent testers in accordance with title 17, California Code of Regulations, sections 91200-91220.

NOW, THEREFORE, I, William V. Loscutt, Chief of ARB's Monitoring and Laboratory Division, order that ERM - West, Incorporated is granted an approval from the date of execution of this order until June 30, 2009, to conduct the tests listed above, subject to compliance with sections 91200-91220, title 17, California Code of Regulations.

BE IT FURTHER ORDERED that during the approved period the Executive Officer or his authorized representative may field audit one or more tests conducted pursuant to this order for each type of testing listed above.

Executed at Sacramento, California this 24<sup>th</sup> day of July 2008.

*Original signed by*

William V. Loscutt, Chief  
Monitoring and Laboratory Division